

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MULLEN AUTOMOTIVE, INC., HYON CHA, and
SHAYAN KHORRAMI,

Plaintiffs,

vs.

No. 1:23-cv-10637 (LLS)

IMC FINANCIAL MARKETS, CLEAR STREET
MARKETS LLC, CLEAR STREET LLC, UBS
SECURITIES LLC, and JOHN DOES 1 THROUGH
10,

Defendants.

**DEFENDANTS' JOINT NOTICE OF MOTION
TO DISMISS THE FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendants IMC Financial Markets, Clear Street Markets LLC, Clear Street LLC, and UBS Securities LLC (together, the “Defendants”), upon the First Amended Complaint filed by Plaintiffs Mullen Automotive, Inc., Hyon Cha, and Shayan Khorrami, in the above-captioned proceeding and the accompanying Memorandum of Law in Support of Defendants’ Joint Motion to Dismiss the First Amended Complaint for Failure to State a Claim (“Defendants’ Joint Motion to Dismiss”), the Declaration of Tammy L. Roy in support of Defendants’ Joint Motion to Dismiss, and any other arguments or materials that the Court may consider before this motion is taken under submission by the Court, will jointly move this Court, by and through their undersigned counsel, before the Honorable Louis L. Stanton, United States District Court Judge for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on such date that the Court will determine, for an Order, (i) pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act, dismissing with prejudice the First Amended Complaint (ECF No. 29) filed by Plaintiffs in the above-

captioned proceeding; and (ii) granting all such other and further relief as this Court may deem just and proper.

Dated: May 1, 2024
New York, New York

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